

**2003 DRAFTING REQUEST****Bill**Received: **01/08/2003**Received By: **gmalaize**Wanted: **01/17/2003**

Identical to LRB:

For: **Terry Musser 608-266-7461**

By/Representing:

This file may be shown to any legislator: **NO**Drafter: **gmalaize**

May Contact:

Addl. Drafters:

Subject: **Higher Education - miscellaneous**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Musser@legis.state.wi.us**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Indian student assistance grants; maximum amount increase

---

**Instructions:**

See Attached--increase maximum amount of Indian student assistance grants, eliminate tribal contribution requirement, and increase appropriation for those grants as per WLCS:0080/1.

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/P1	gmalaize 01/09/2003	jdye 01/10/2003					
/1			pgreensl 01/10/2003		sbasford 01/10/2003		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	gmalaïse 01/14/2003	jdÿer 01/15/2003	pgreensl 01/15/2003	_____	lemery 01/15/2003		
/3	gmalaïse 01/16/2003	jdÿer 01/16/2003	chaskett 01/16/2003	_____ _____ _____	lcmery 01/16/2003 lemery 06/03/2003		State
/4	gmalaïse 06/04/2003	jdÿer 06/04/2003	rschlue 06/04/2003	_____ _____	mbarman 06/04/2003	lemery 06/16/2003	

FE Sent For:

&lt;END&gt;

At  
Intro.

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**Topic:**

Indian student assistance grants; maximum amount increase

**Instructions:**

See Attached--increase maximum amount of Indian student assistance grants, eliminate tribal contribution requirement, and increase appropriation for those grants as per WLCS:0080/1.

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	gmalaïse 01/14/2003	jdÿer 01/15/2003	pgreensl 01/15/2003	_____	lemery 01/15/2003		
/3	gmalaïse 01/16/2003	jdÿer 01/16/2003	chaskett 01/16/2003	_____ _____ _____	lemery 01/16/2003 lemery 06/03/2003		State
/4	gmalaïse 06/04/2003	jdÿer 06/04/2003	rschlue 06/04/2003	_____ _____	mbarman 06/04/2003		

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&lt;END&gt;

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For: Terry Musser 608-266-7461

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May Contact:

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Subject: Higher Education - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Rep.Musser@legis.state.wi.us

Carbon copy (CC:) to:

### Pre Topic:

No specific pre topic given

### Topic:

Indian student assistance grants; maximum amount increase

\* Requester  
changed per  
Joyce Kiel @  
LC

### Instructions:

See Attached--increase maximum amount of Indian student assistance grants, eliminate tribal contribution requirement, and increase appropriation for those grants as per WLCS:0080/1.

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1		1/4 6/4 jld	pgreensl 01/10/2003		sbasford 01/10/2003		

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06/03/2003 04:56:11 PM

Page 2

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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				_____	06/03/2003		

resubmitted  
to email  
again

FE Sent For:

<END>

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For: **Legislative Council - JLC 6-1537**By/Representing: **David Lovell**This file may be shown to any legislator: **NO**Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Higher Education - miscellaneous**

Extra Copies:

Submit via email: **YES**Requester's email: **david.lovell@legis.state.wi.us**

Carbon copy (CC:) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

Indian student assistance grants; maximum amount increase

**Instructions:**

See Attached increase maximum amount of Indian student assistance grants, eliminate tribal contribution requirement, and increase appropriation for those grants as per WLCS:0080/1.

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/1			pgreensl 01/10/2003		sbasford 01/10/2003		

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Page 2

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/1		1/3 1/16 jld	pgreensl 01/10/2003		sbasford 01/10/2003		

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			1/5 p8	1/5			

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

FE Sent For:

**<END>**

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1/?	gmalaize	1/10 JLC	LE conversation on 1-9 1/10 p8	1/10 p8			

FE Sent For:

<END>

## Malaise, Gordon

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**From:** Lief, Madelon  
**Sent:** Wednesday, January 08, 2003 1:51 PM  
**To:** Malaise, Gordon  
**Subject:** FW: drafting request; state-tribal relations

-----Original Message-----

**From:** Lovell, David  
**Sent:** Wednesday, January 08, 2003 1:39 PM  
**To:** Lief, Madelon  
**Cc:** Kiel, Joyce; Ulrich, Wendy  
**Subject:** drafting request; state-tribal relations

Madelon,

I am writing to request a draft based on WLC: 0080/1, relating to increasing the maximum amount of Indian Student Assistance grants. I gather from the LRB referral list that you handle drafting for HEAB--if not, I trust you will refer this to the appropriate drafter, and let me know. I have put a copy of the draft in the "LC to LRB" cabinet in Documentum; let me know if you have any difficulty accessing it.

The Special Committee on State-Tribal Relations has voted to recommend this draft to the Joint Legislative Council for introduction this session. (They are voting by mail ballot; as of today, we have a majority of members voting "aye".) We expect the JLC to consider this recommendation later this month and hope to have an LRB draft ready to mail to the JLC members by January 20. Please let me know if this is not a realistic expectation.

If you have any questions regarding this request, you may contact me (6-1537) or Joyce Kiel (6-3137).

Thank you in advance.

, David

---

David L. Lovell, Senior Analyst  
Wisconsin Legislative Council Staff  
608/266-1537

DLL:tlw;wu

12/11/2002

1     **AN ACT** *to repeal* 20.235 (1) (gm); and *to amend* 39.38 (2) of the statutes; relating  
2           to: increasing the maximum amount of Indian student assistance grants and making  
3           an appropriation.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**JOINT LEGISLATIVE COUNCIL PREFATORY NOTE:** This draft was prepared for the joint legislative council's special committee on state-tribal relations, based on drafting instructions given at the committee's November 19, 2002 meeting.

Under current law, the higher educational aids board (HEAB) makes grants to American Indian students who are enrolled full-time or part-time in accredited institutions of higher education in this state. The statutes envision 2-part grants, the first part funded by an appropriation from the tribal gaming revenues paid by the tribes to the state and the second part funded by an appropriation consisting of contributions made by the tribes to HEAB to match the first part. The first part is limited to \$1,100 per year.

Information received by the committee indicates that, although the tribes typically provide some financial assistance to their tribal members for higher education, they do not do so by contributing funds to the HEAB to specifically match Indian student assistance grants.

This draft does the following:

1. For the grants funded by tribal gaming revenues paid to the state, increases the maximum amount of individual grants allowed from \$1,100 to \$3,200. This amount is intended to fund the same share of average financial need as the grants funded in 1994-95, the last time that the grant amount was modified.
2. For the grants funded by tribal gaming revenues paid to the state, increases the appropriation for grants to an amount estimated to allow full funding of grant applications at the higher grant amount.
3. Repeals the appropriation and language regarding tribal contributions for matching grants.

4           **SECTION 1.** 20.235 (1) (gm) of the statutes is repealed.

**SECTION 2.** 39.38 (2) of the statutes is amended to read:

39.38 (2) Grants under this section shall be based on financial need, as determined by the board. The maximum grant ~~shall~~ may not exceed ~~\$2,200~~ \$3,200 per year, ~~of which not more than \$1,100 may be from the appropriation under s. 20.235 (1) (k). State aid from this appropriation may be matched by a contribution from a federally recognized American Indian tribe or band that is deposited in the general fund and credited to the appropriation account under s. 20.235 (1) (gm).~~ Grants shall be awarded to students for full-time or part-time attendance at any accredited institution of higher education in this state. The board may not make a grant under this section to a student whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall be renewable for up to 5 years if a recipient remains in good academic standing at the institution that he or she is attending.

**SECTION 3. Appropriation changes.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (k) of the statutes, the dollar amount for fiscal year 2003–04 is increased by \$1,481,600 and the dollar amount for fiscal year 2004–05 is increased by \$1,481,600.

**NOTE:** Increases the appropriation for Indian student assistance grants by an amount intended to allow for full funding of grants at the new level allowed by this draft. This increase assumes that the existing appropriation will be \$787,600, the amount appropriated in fiscal year 2002–03, producing a total annual appropriation of \$2,269,200.

**(END)**





State of Wisconsin  
2003 - 2004 LEGISLATURE

WANTED

NOTE

11/17/03

LRB-1372/PF

GMM:ch

jld

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

AF E-S

Regen?

- 1 AN ACT to ~~repeal~~ 20.235 (1) (gm); and to ~~amend~~ 39.38 (2) of the statutes;  
2 relating to: increasing the maximum amount of Indian student assistance  
3 grants and making an appropriation. ✓

*Analysis by the Legislative Reference Bureau*

~~This is a preliminary draft. An analysis will be provided in a later version.~~

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

\* JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This ~~bill~~ was prepared for the Joint Legislative Council's Special Committee on State Tribal Relations, based on drafting instructions given at the committee's November 19, 2002 meeting. \*

Under current law, the Higher Educational Aids Board (HEAB) makes grants to American Indian students who are enrolled full-time or part-time in accredited institutions of higher education in this state. The statutes envision 2-part grants, the first part funded by an appropriation from the tribal gaming revenues paid by the tribes to the state and the second part funded by an appropriation consisting of contributions made by the tribes to HEAB to match the first part. The first part is limited to \$1,100 per year.

Information received by the committee indicates that, although the tribes typically provide some financial assistance to their tribal members for higher education, they do not do so by contributing funds to the HEAB to specifically match Indian student assistance grants.

This ~~draft~~ does the following:

bill

that is funded by tribal gaming revenues ✓

Funded by tribal gaming revenues  
paid to the state

per year

per year

②. Increases

which was

For the grants funded by tribal gaming revenues paid to the state, increases the maximum amount of individual grants allowed from \$1,100 to \$3,200. This amount is intended to fund the same share of average financial need as the grants funded in 1994-95, the last time that the grant amount was modified.

③. Increases

For the grants funded by tribal gaming revenues paid to the state, increases the appropriation for grants to an amount estimated to allow full funding of grant applications at the higher grant amount.

Repeals the appropriation and language regarding tribal contributions for matching grants.

Funded by tribal gaming revenues paid to the state

SECTION 1. 20.235 (1) (gm) of the statutes is repealed.

SECTION 2. 39.38 (2) of the statutes is amended to read:

39.38 (2) Grants under this section shall be based on financial need, as

determined by the board. The maximum grant shall may not exceed \$2,200 \$3,200 per year, of which not more than \$1,100 may be from the appropriation under s.

20.235 (1) (k). State aid from this appropriation may be matched by a contribution

from a federally recognized American Indian tribe or band that is deposited in the general fund and credited to the appropriation account under s. 20.235 (1) (gm).

Grants shall be awarded to students for full-time or part-time attendance at any accredited institution of higher education in this state. The board may not make a grant under this section to a student whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall be renewable for up to 5 years if a recipient remains in good academic standing at the institution that he or she is attending.

as affected by the acts of 2003,

### SECTION 3. Appropriation changes.

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (k) of the statutes, the

Eliminates tribal contributions to match the part of the grants that is funded by tribal gaming revenues.

2003 - 2004 Legislature ✓

for fiscal year 2004-05  
to increase funding for the

for fiscal year 2003-04 ✓

purpose for which the appropriation is made

(1) dollar amount for fiscal year 2003-04 is increased by \$1,481,600, and the dollar

(2) amount for fiscal year 2004-05 is increased by \$1,481,600.

bill ✓

NOTE: Increases the appropriation for Indian student assistance grants by an amount intended to allow for full funding of grants at the new level allowed by this draft. This increase assumes that the existing appropriation will be \$787,600, the amount appropriated in fiscal year 2002-03, producing a total annual appropriation of \$2,269,200.

(END)

\$1,481,600 in each of fiscal  
years 2003-04 and 2004-05,  
which is the amount estimated

2003-05 biennial budget  
act will appropriate  
\$787,600 in each  
of fiscal years 2003-04  
and 2004-05 for Indian  
student assistance grants,  
which was

Insert  
3-2 ✓

NOTE  
↓

2003

Nonstat File Sequence:

FFF

LRB \_\_\_\_\_/\_\_\_\_

EFFECTIVE DATE

Insert 3-2

1. In the component bar: For the action phrase, execute: ... **create** → **action:** → \*NS: → **effdate**  
For the text, execute: ..... **create** → **text:** → \*NS: → **effdateA**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # \_\_\_\_ . Effective date.

( #1 ) ( ) ..... This act takes effect  
on the day after publication, or on the day after publication  
of the 2003-05 biennial budget act, whichever is later.

1. In the component bar: For the action phrase, execute: .. **create** → **action:** → \*NS: → **effdateE**  
For the text, execute: ..... **create** → **text:** → \*NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # \_\_\_\_ . Effective dates; .....

..... This act takes effect on the day after publication, except as follows:

( #1 ) ( ) ..... The treatment of  
sections .....  
of the statutes takes effect on .....

1. In the component bar: For the budget action phrase, execute:.. **create** → **action:** → \*NS: → **94XX**  
For the text, execute: ..... **create** → **text:** → \*NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9400 department code.

SECTION 94 \_\_\_\_ . Effective dates; .....

( #1 ) ( ) ..... The treatment of  
sections .....  
of the statutes takes effect on .....

(ed & m7)

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1372/1dn

GMM.....

date

Jld

David:

The biennial budget act establishes the appropriation schedule for the biennium. As such, that schedule may not be changed until the budget is enacted. Accordingly, this draft includes an effective date provision providing that the draft takes effect on the day after publication of the draft or on the day after publication of the budget, whichever is later.

Because the budget bill repeals and recreates the entire appropriation schedule, theoretically it could repeal s. 20.235 (1) (k), in which case the appropriation change made by the draft would have no effect. Accordingly, you might wish to have this draft redrafted as a budget amendment or wait until after the budget is enacted to pursue enactment of this draft.

The draft also makes certain other minor, nonsubstantive changes to the WLCS draft. Please do not hesitate to contact me directly at the phone number or e-mail address listed below if you have any questions about the draft.

Gordon M. Malaise  
Senior Legislative Attorney  
Phone: (608) 266-9738  
E-mail: gordon.malaise@legis.state.wi.us

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1372/1dn  
GMM:jld:pg

January 10, 2003

David:

The biennial budget act establishes the appropriation schedule for the biennium. As such, that schedule may not be changed until the budget is enacted. Accordingly, this draft includes an effective date provision providing that the draft takes effect on the day after publication of the draft or on the day after publication of the budget, whichever is later.

Because the budget bill repeals and recreates the entire appropriation schedule, theoretically it could repeal s. 20.235 (1) (k), in which case the appropriation change made by the draft would have no effect. Accordingly, you might wish to have this draft redrafted as a budget amendment or wait until after the budget is enacted to pursue enactment of this draft.

The draft also makes certain other minor, nonsubstantive changes to the WLCS draft. Please do not hesitate to contact me directly at the phone number or e-mail address listed below if you have any questions about the draft.

Gordon M. Malaise  
Senior Legislative Attorney  
Phone: (608) 266-9738  
E-mail: [gordon.malaise@legis.state.wi.us](mailto:gordon.malaise@legis.state.wi.us)



State of Wisconsin  
2003 - 2004 LEGISLATURE

Week of 1/13/03

LRB-1372/1

GMM:jld:pg

(2)  
RMR

2003 BILL

Regen

- 1 AN ACT *to repeal* 20.235 (1) (gm); and *to amend* 39.38 (2) of the statutes;  
2 relating to: increasing the maximum amount of Indian student assistance  
3 grants and making an appropriation.

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*Analysis by the Legislative Reference Bureau*

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on State-Tribal Relations, ~~based on drafting instructions given at the committee's November 19, 2002 meeting.~~

Under current law, the Higher Educational Aids Board (HEAB) makes grants to American Indian students who are enrolled full-time or part-time in accredited institutions of higher education in this state. The statutes envision 2-part grants, the first part funded by an appropriation from tribal gaming revenues paid by the tribes to the state and the second part funded by an appropriation consisting of contributions made by the tribes to HEAB to match the first part. The first part is limited to \$1,100 per year.

Information received by the committee indicates that, although the tribes typically provide some financial assistance to their tribal members for higher education, they do not do so by contributing funds to HEAB to specifically match the part of the Indian student assistance grants that is funded by tribal gaming revenues.

paid to the state ✓

**BILL**

*3. Repeals the appropriation and language regarding tribal contributions for matching grants.*

This bill does the following:

- 1. Eliminates tribal contributions to match the part of the grants that is funded by tribal gaming revenues.*
- 2. Increases the maximum amount of individual grants funded by tribal gaming revenues paid to the state from \$1,100 per year to \$3,200 per year. This amount is intended to fund the same share of average financial need as the grants funded in 1994-95, which was the last time that the grant amount was modified.*
- 3. Increases the appropriation for grants funded by tribal gaming revenues paid to the state to an amount estimated to allow for full funding of grant applications at the higher grant amount.*

**SECTION 1.** 20.235 (1) (gm) of the statutes is repealed.

**SECTION 2.** 39.38 (2) of the statutes is amended to read:

39.38 (2) Grants under this section shall be based on financial need, as determined by the board, and shall be made from the appropriation under s. 20.235 (1) (k). The maximum grant shall ~~may~~ not exceed ~~\$2,200~~ \$3,200 per year, of which ~~not more than \$1,100 may be from the appropriation under s. 20.235 (1) (k). State aid from this appropriation may be matched by a contribution from a federally recognized American Indian tribe or band that is deposited in the general fund and credited to the appropriation account under s. 20.235 (1) (gm).~~ Grants shall be awarded to students for full-time or part-time attendance at any accredited institution of higher education in this state. The board may not make a grant under this section to a student whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall be renewable for up to 5 years if a recipient remains in good academic standing at the institution that he or she is attending.

**SECTION 3. Appropriation changes.**

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (k) of the statutes, as



**BILL**

1 affected by the acts of 2003, the dollar amount is increased by \$1,481,600 for fiscal  
2 year 2003–04 and the dollar amount is increased by \$1,481,600 for fiscal year  
3 2004–05 to increase funding for the purpose for which the appropriation is made.

NOTE: Increases the appropriation for Indian student assistance grants by \$1,481,600 in each of fiscal years 2003–04 and 2004–05, which is the amount estimated to allow for full funding of grants at the new level allowed by this bill. This increase assumes that the 2003–05 biennial budget act will appropriate \$787,600 in each of fiscal years 2003–04 and 2004–05 for Indian student assistance grants, which was the amount appropriated in fiscal year 2002–03, producing a total annual appropriation of \$2,269,200.

4 **SECTION 4. Effective date.**

5 (1) This act takes effect on the <sup>2<sup>nd</sup></sup> day after publication, or on the day after  
6 publication of the 2003–05 biennial budget act, whichever is later.

7 (END)



State of Wisconsin  
2003 - 2004 LEGISLATURE

Today  
(p 3, 14)

LRB-1372/2  
GMM:jld:pg

3  
RMR

2003 BILL

Regen

- 1 AN ACT *to repeal* 20.235 (1) (gm); and *to amend* 39.38 (2) of the statutes;  
2 relating to: increasing the maximum amount of Indian student assistance  
3 grants and making an appropriation.

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*Analysis by the Legislative Reference Bureau*

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on State-Tribal Relations.

Under current law, the Higher Educational Aids Board (HEAB) makes grants to American Indian students who are enrolled full-time or part-time in accredited institutions of higher education in this state. The statutes envision 2-part grants, the first part funded by an appropriation from tribal gaming revenues paid by the tribes to the state and the second part funded by an appropriation consisting of contributions made by the tribes to HEAB to match the first part. The first part is limited to \$1,100 per year.

Information received by the committee indicates that, although the tribes typically provide some financial assistance to their tribal members for higher education, they do not do so by contributing funds to HEAB to specifically match the part of the Indian student assistance grants that is funded by tribal gaming revenues paid to the state.

This bill does the following:

**BILL**

1. Increases the maximum amount of individual grants funded by tribal gaming revenues paid to the state from \$1,100 per year to \$3,200 per year. This amount is intended to fund the same share of average financial need as the grants funded in 1994–95, which was the last time that the grant amount was modified.

2. Increases the appropriation for grants funded by tribal gaming revenues paid to the state to an amount estimated to allow for full funding of grant applications at the higher grant amount.

3. Repeals the appropriation and language regarding tribal contributions for matching grants.

**SECTION 1.** 20.235 (1) (gm) of the statutes is repealed.

**SECTION 2.** 39.38 (2) of the statutes is amended to read:

39.38 (2) Grants under this section shall be based on financial need, as determined by the board, and shall be made from the appropriation under s. 20.235 (1) (k). The maximum grant ~~shall~~ may not exceed \$2,200 \$3,200 per year, of which ~~not more than \$1,100 may be from the appropriation under s. 20.235 (1) (k).~~ State aid from this appropriation ~~may be matched by a contribution from a federally recognized American Indian tribe or band that is deposited in the general fund and credited to the appropriation account under s. 20.235 (1) (gm).~~ Grants shall be awarded to students for full-time or part-time attendance at any accredited institution of higher education in this state. The board may not make a grant under this section to a student whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall be renewable for up to 5 years if a recipient remains in good academic standing at the institution that he or she is attending.

**SECTION 3. Appropriation changes.**

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (k) of the statutes, as affected by the acts of 2003, the dollar amount is increased by \$1,481,600 for fiscal

**BILL**

- 1 year 2003–04 and the dollar amount is increased by \$1,481,600 for fiscal year  
2 2004–05 to increase funding for the purpose for which the appropriation is made.

NOTE: Increases the appropriation for Indian student assistance grants by \$1,481,600 in each of fiscal years 2003–04 and 2004–05, which is the amount estimated to allow for full funding of grants at the new level allowed by this bill. This increase assumes that the 2003–05 biennial budget act will appropriate \$787,600 in each of fiscal years 2003–04 and 2004–05 for Indian student assistance grants, which was the amount appropriated in fiscal year 2002–03, producing a total annual appropriation of \$2,269,200.

3 **SECTION 4. Effective date.**

- 4 (1) This act takes effect on the ~~2nd~~ day after publication, or on the day after  
5 publication of the 2003–05 biennial budget act, whichever is later.

6 (END)



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1372/3  
GMM:jld:cph

24  
RMR

2003 BILL

Regen

- 1 AN ACT *to repeal* 20.235 (1) (gm); and *to amend* 39.38 (2) of the statutes;  
2 relating to: increasing the maximum amount of Indian student assistance  
3 grants and making an appropriation. ✓

*Analysis by the Legislative Reference Bureau*

This bill is explained in the NOTES provided by the Joint Legislative Council in

~~the bill.~~

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on State-Tribal Relations.

Under current law, the Higher Educational Aids Board (HEAB) makes grants to American Indian students who are enrolled full-time or part-time in accredited institutions of higher education in this state. The statutes envision 2-part grants, the first part funded by an appropriation from tribal gaming revenues paid by the tribes to the state and the second part funded by an appropriation consisting of contributions made by the tribes to HEAB to match the first part. The first part is limited to \$1,100 per year.

Information received by the committee indicates that, although the tribes typically provide some financial assistance to their tribal members for higher education, they do not do so by contributing funds to HEAB to specifically match the part of the Indian student assistance grants that is funded by tribal gaming revenues paid to the state.

This bill does the following:

**BILL**

~~1. Increases the maximum amount of individual grants funded by tribal gaming revenues paid to the state from \$1,100 per year to \$3,200 per year. This amount is intended to fund the same share of average financial need as the grants funded in 1994-95, which was the last time that the grant amount was modified.~~

~~2. Increases the appropriation for grants funded by tribal gaming revenues paid to the state to an amount estimated to allow for full funding of grant applications at the higher grant amount.~~

~~3. Repeals the appropriation and language regarding tribal contributions for matching grants.~~

**SECTION 1.** 20.235 (1) (gm) of the statutes is repealed.

**SECTION 2.** 39.38 (2) of the statutes is amended to read:

39.38 (2) Grants under this section shall be based on financial need, as determined by the board, and shall be made from the appropriation under s. 20.235 (1) (k). The maximum grant shall may not exceed \$2,200 \$3,200 per year, of which not more than \$1,100 may be from the appropriation under s. 20.235 (1) (k). State aid from this appropriation may be matched by a contribution from a federally recognized American Indian tribe or band that is deposited in the general fund and credited to the appropriation account under s. 20.235 (1) (gm). Grants shall be awarded to students for full-time or part-time attendance at any accredited institution of higher education in this state. The board may not make a grant under this section to a student whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall be renewable for up to 5 years if a recipient remains in good academic standing at the institution that he or she is attending.

**SECTION 3. Appropriation changes.**

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (k) of the statutes, as

**BILL**

1 affected by the acts of 2003, the dollar amount is increased by \$1,481,600 for fiscal  
2 year 2003–04 and the dollar amount is increased by \$1,481,600 for fiscal year  
3 2004–05 to increase funding for the purpose for which the appropriation is made.

NOTE: Increases the appropriation for Indian student assistance grants by  
\$1,481,600 in each of fiscal years 2003–04 and 2004–05, which is the amount estimated  
to allow for full funding of grants at the new level allowed by this bill. This increase  
assumes that the 2003–05 biennial budget act will appropriate \$787,600 in each of fiscal  
years 2003–04 and 2004–05 for Indian student assistance grants, which was the amount  
appropriated in fiscal year 2002–03, producing a total annual appropriation of  
\$2,269,200.

4 **SECTION 4. Effective date.**

5 (1) This act takes effect on the day after publication, or on the 2nd day after  
6 publication of the 2003–05 biennial budget act, whichever is later.

7 (END)

**2003-2004 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1372/4ins  
..GMM:.....

(INSERT A)

Under current law, the Higher Educational Aids Board (HEAB) awards grants to American Indian students who are enrolled fulltime or parttime in accredited institutions of higher education in this state (Indian student assistance grant). Currently, the maximum amount of an Indian student assistance grant may not exceed \$2,200 per year, of which not more than \$1,100 may be from an appropriation to HEAB of Indian gaming receipts. State aid from that appropriation may be matched by a contribution from a federally recognized American Indian tribe or band that is deposited in the general fund and credited to another appropriation to HEAB. This bill increases the maximum amount of an Indian student assistance grant that is funded from Indian gaming receipts to \$3,200 per year and eliminates tribal matching contributions for Indian student assistance grants.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

(END OF INSERT)



**Emery, Lynn**

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**From:** Kolka, Kathie  
**Sent:** Monday, June 16, 2003 1:44 PM  
**To:** LRB.Legal  
**Subject:** LRB 03-1372/4 Topic: Indian student assistance grants; maximum amount increase

It has been requested by <Kolka, Kathie> that the following draft be jacketed for the ASSEMBLY:

LRB 03-1372/4 Topic: Indian student assistance grants; maximum amount increase